

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

OMAR VAILLANT, JR.,

Defendant.

8:21–CR–285

**ORDER GRANTING MOTION TO
WITHDRAW AND DENYING MOTION
TO REDUCE SENTENCE**

This matter is before the Court on the *pro se* Motion to Reduce Sentence filed by Defendant Omar Vaillant Jr., [Filing 50](#), and the Motion to Withdraw filed by Federal Public Defender, Mr. David R. Stickman. [Filing 52](#). After the Defendant filed his Motion to Reduce Sentence, the Office of the Federal Public Defender was appointed to represent him pursuant to General Order No. 2023-09. [Filing 51](#). The purpose of this appointment was to determine whether the Defendant qualified “for relief pursuant to either the 2023 U.S. Sentencing Guidelines amendments of U.S.S.G. § 1B1.13 or U.S.S.G. § 1B1.10 providing for the retroactive application of Amendment 821[.]” [Filing 51](#). at 1. Mr. Stickman has moved to withdraw as counsel because “the new guideline range under Amendment 821 is not lower than the Defendant’s sentence and therefore no relief is allowed under Amendment 821.” [Filing 52 at 1](#). The United States Probation Office also submitted a worksheet in this case stating that the Defendant is not eligible for a reduction. [Filing 53 at 1](#).

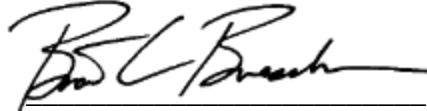
The Court has conducted its own review of the Defendant’s *pro se* Motion along with other relevant matters in the record. The Court concludes that the Defendant is not entitled to the sentencing relief he seeks. His *pro se* Motion is without merit and will be denied. The Court likewise concludes that Mr. Stickman’s Motion to Withdraw should be granted for the reasons he set forth in his Motion. Accordingly,

IT IS ORDERED:

1. Federal Public Defender David R. Stickman's Motion to Withdraw, [Filing 52](#) is granted; and
2. Defendant's *pro se* Motion to Reduce Sentence, [Filing 50](#) is denied.

Dated this 21st day of June, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge